

**BAKER, HACKENBERG AND HENNIG**

**A LEGAL PROFESSIONAL ASSOCIATION**

77 NORTH ST CLAIR STREET, SUITE 100

**PAINESVILLE, OHIO 44077**

I JAMES HACKENBERG  
RICHARD A HENNIG\*  
J PETER SZEMAN  
JAMES R O'LEARY

LOCAL (440) 354-4364  
CLEVELAND (440) 951-3295  
FAX (440) 354-0135

CHARLES F CICHOCKI  
OF COUNSEL

CHARLES P BAKER, JR  
(1905-2004)

\*ALSO ADMITTED TO THE FLORIDA BAR

October 5, 2006

Jeff S. Jordan  
General Counsel's Office  
Federal Election Commission  
999 E Street, NW  
Washington, D.C. 20463

Re: MUR 5817

Dear Mr. Jordan:

The undersigned is counsel for Lakeland Community College, acting as Special Counsel to Jim Retro, Attorney General of the State of Ohio who by law represents all state colleges and universities.

The purpose of this letter is to respond to your correspondence to Morris Beverage and Jim Collins relative to a complaint received by the Federal Election Commission from one Reverend Werner Lange, a congressional candidate in the 14<sup>th</sup> District of Ohio.

In response, it is necessary to review the history relative to the interviewing of candidates for public office at Lakeland Community College which ranges from city council candidates to candidates for governor, the U.S. congress and the U.S. senate.

In approximately 1984 The News Herald a newspaper of general circulation in Northeast Ohio embarked upon interviewing the aforementioned candidates. The interviews are conducted by editors of The News Herald. The format and questions have always been within the sole purview of the editors. Moreover, The News Herald at all times exercises exclusive control with regard to the candidates chosen to be interviewed. The only involvement of Lakeland Community College was and is to provide its campus studio, the technicians and the recording devices.

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At the end of 2005, Jim Collins, the longtime editor of The News Herald retired from most of his duties with the paper other than writing a weekly column. He was given the title of editor emeritus. Based upon his long tenure as editor of The News Herald and his unparalleled community involvement, Lakeland Community College bestowed upon him the title of "Executive in Residence".

In 2006 The News Herald and Mr. Collins continued the program of interviewing candidates. Again, there was no involvement by Lakeland Community College other than providing the space and technical assistance.

With regard to the race for the 14<sup>th</sup> Congressional District of Ohio, Mr. Collins and The News Herald invited two candidates, to-wit: Steven LaTourette, the Republican incumbent, and Lew Katz, his Democrat opponent. Enclosed herewith are copies of the letters submitted to the candidates. You will note that Mr. Collins clearly stated *"I emphasize that this is a joint appearance and not a debate."*

Mr. Collins advised that the reason complainant Werner Lange, was not invited was that in his opinion and that of the editors of The News Herald Lange was and is not a viable candidate and has no conceivable chance of garnering more than perhaps five percent of the vote.

Mr. Collins has told Lakeland Community College that the pre-established objective criteria to determine which candidates would be interviewed has always been whether the candidate had in the editors' opinion, viability as a candidate, not whether they were nominees of a political party.

Reverend Lange's contact with Lakeland Community College was by way of an email dated August 11, 2006 to Dawn Plante, Director of Marketing & Communications at Lakeland Community College. Ms. Plante assumed her position with the college only a month or so prior thereto. Unfortunately without consulting any other Lakeland personnel she responded to Reverend Lange stating that the interviews *"have historically been for major party candidates only."* That response was and is totally incorrect. As previously stated, Lakeland Community College has never been involved in decisions as to which candidates are interviewed. Moreover, that was and is not the criteria of The News Herald. On a prior occasion Reverend Werner Lange was in fact interviewed for an elective office he sought. Apparently Mr. Collins at that time believed that he may have been a viable candidate.

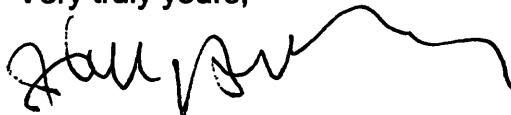
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Notwithstanding the above, the complainant Werner Lange has been advised that he will have the opportunity to be interviewed by The News Herald editors on Friday, October 6, 2006 at 10:00 a.m. He has accepted the invitation.

In addition to the copies of the correspondence directed to Messrs. LaTourette and Katz, I enclose herewith the Statement of Designation of Counsel duly executed by Morris Beverage, Jr., President of Lakeland Community College. If you require any further information please feel free to write or call me at any time.

Very truly yours,



I. James Hackenberg  
Baker, Hackenberg and Hennig  
Co., LPA

IJH/cg

Enclosures

27044164294

May 5, 2006

Dear Mr. Katz:

As has been our custom for many years, The News-Herald and Lakeland Community College will once again use a "Meet the Press" format to conduct interviews with candidates who will appear on the November ballot.

In order to ensure that this is an orderly process, it is essential that we establish the schedule now.

These interviews will serve two purposes: 1) as a partial basis for editorial endorsements, and 2) to present candidates on local cable TV networks to allow voters to familiarize themselves with them and their positions on issues, while at the same time giving the candidates maximum exposure to the voters.

It is, if you want to look at it that way, a free ad which would otherwise be very expensive. The interview will be conducted in the second-floor TV studio at Lakeland Community College, which is on Rt. 306, just south of the I-90 interchange.

The format will be a joint appearance of the candidates seeking a particular office. **I emphasize that this is a joint appearance and not a debate.** We have used this format since 1984 and found it has great viewer interest.

Each candidate will have the same amount of time to respond to the questions.

The videotapes will be copied and broadcast multiple times on other cable networks that serve Lake, eastern Cuyahoga, Geauga and western Ashtabula counties.

A word about the setting: The candidates will be seated facing two News-Herald editors, who will be conducting the interviews.

We have scheduled your interview for **Congress**:

Monday August 7, 2006 10:00 AM

LaTourette and Katz

If classes are in session, you will receive a parking pass from the college by mail.

The scheduling is difficult, and it is critical that we maintain strict time limitations. Because of the large number of people involved in these interviews, including candidates, News-Herald panelists, camera operators, directors and technicians, the scheduling is not flexible.

I look forward to seeing you in the Lakeland studio at the above time. It would be helpful if you would arrive a few minutes before the scheduled time of the interview so that we may do sound and lighting checks.

If you have any questions, do not hesitate to call me immediately at the college at 440.525.7522 or at the News-Herald at 440.951.0000 or 1.800.94PAPER.

You can confirm receipt of the notification by calling Laura Swetland at 440.525.7419.

Best Wishes,

Jim Collins  
Editor Emeritus-The News-Herald  
Executive in Residence-Lakeland Community College

27044164295

May 5, 2006

Dear Mr. LaTourette:

As has been our custom for many years, The News-Herald and Lakeland Community College will once again use a "Meet the Press" format to conduct interviews with candidates who will appear on the November ballot.

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